

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

JULIE A. SU, Acting Secretary
of Labor, United States Department of Labor,

Petitioner,

Case No. 22-mc-51667
Hon. Matthew F. Leitman

v.

ROSIE GUTHRIE, et al.,

Respondents.

/

**ORDER GRANTING PETITIONER’S
MOTION FOR CONTEMPT**

For the reasons stated in the Motion for Contempt filed by the Acting Secretary of Labor, U.S. Department of Labor (“Petitioner”), the Court finds Respondents GENESIS HOMECARE SERVICES, LLC, and its owner ROSIE GUTHRIE in civil contempt of court, and hereby ORDERS the following:

A. GENESIS HOMECARE SERVICES, LLC, and ROSIE GUTHRIE shall produce all responsive documents to the Petitioner’s Subpoena—as originally required by the Court’s March 15, 2023 Order [Doc. 4]—within five (5) calendar days of service of this Order;

B. GENESIS HOMECARE SERVICES, LLC, and ROSIE GUTHRIE are hereby subject to a coercive fine of \$250.00 per day for each subsequent day (after five days have passed from service) that they fail to comply with this Order;

C. GENESIS HOMECARE SERVICES, LLC, and ROSIE GUTHRIE are directed to pay the Petitioner a compensatory fine equal to the costs, including reasonable attorney's fees, of \$2,500.00;

D. In the event Genesis Homecare Services, LLC, and Rosie Guthrie provide all the documents requested by the Petitioner's Subpoena Duces Tecum, PETITIONER shall file a notice with the Court within five business days of compliance; and

E. PETITIONER shall serve Genesis Homecare Services, LLC, and Rosie Guthrie with a copy of this Order by the following means:

- i. By personal service, or if Respondents will not accept service, by affixing this Order to the door of Respondent Guthrie's residence;
- ii. By first class mail, uncertified and without return-receipt requested, and;
- iii. By certified mail, with return-receipt requested.

F. Within 10 days of service as described by Paragraph E(i), PETITIONER shall file a Certificate of Service with the court documenting its compliance with paragraph E.

G. If Genesis Homecare Services, LLC, and Rosie Guthrie have still not provided all the documents requested by the Petitioner's Subpoena Duces Tecum within 10 days of Petitioner filing its Certificate of Service under Paragraph F of this

Order, PETITIONER may renew its Motion for Contempt to seek further sanction for Respondents' contemptuous conduct, including coercive confinement of Respondent Guthrie in prison.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: September 27, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 27, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126